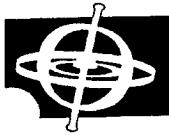


# EXHIBIT 1



**FOLEY  
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September 15, 2004

By E-mail

David I. Gindler, Esq.  
Irell & Manella LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, CA 90067-4276

Re: *In Re: Columbia University*  
MDL No. 1592

Dear David:

Expert depositions are currently scheduled for September 20 through October 1, 2004. To facilitate the scheduling of individual depositions during this time the plaintiffs have conferred and propose the following dates for their experts: Rodney Kellems on September 23, 2004, in Houston, Texas; Harvey Lodish on September 30, in Boston; and Bruce Dolnick on October 1, 2004, at a place to be determined.

Given the limited time available for expert depositions, please advise us by tomorrow as to the availability of Francis Ruddle and any other expert witness that Columbia plans to disclose. In view of the number of parties who wish to depose Columbia's expert(s), we expect that several days will be needed to complete the examination of each expert. For everyone's convenience, therefore, it would be most helpful if you could propose blocks of three consecutive days.

Very truly yours,

A handwritten signature in black ink that reads "Claire Laporte".

Claire Laporte

cc: Wayne M. Barsky, Esq.  
Thomas F. Maffei, Esq.  
Mark A. Pals, Esq.

Adrian M. Pruetz, Esq.  
Robert W. Stone, Esq.  
Paul Schuck, Esq.

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Donald R. Ware, Esq.  
Eva Zei, Esq.